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PTO/SB/21 (05-03) Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE apenwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/620,827 TRANSMITTAL 7/16/2003 Filing Date **FORM** First Named Inventor McClintock Art Unit (to be used for all correspondence after initial filing) Not vet assigned **Examiner Name** Not yet assigned Attorney Docket Number 24168067.5 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): **Express Abandonment Request** Request for Refund Patent references CD, Number of CD(s) Postcard acknowledgement Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm James H. Ortega Individual name BAKER & McKENZIE Signature Date 8/21/2003 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name James H. Ortega 8/21/2003 Date Signature This collection of information is required by & FR 1.5. The information is equired to obtain or retain a benefit by the public which is to file (and by the USPTO to

This collection of information is required by CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Group Art Unit: Not yet assigned Kenneth McClintock Serial No.: 10/620,827 Filed: July 16, 2003 For: CAN-TOP PRODUCT STORAGE DEVICE AND RELATED METHODS OF STORING PRODUCTS Commissioner for Peterts

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant(s) hereby notify the U.S. Patent and Trademark Office of the document(s) which is/are listed on the attached Form PTO-SB/08A. One copy of the listed documents is submitted herewith.

X (1) This IDS does NOT require a fee or 37 C.F.R. § 1.97(e) statement because it is being filed (check all that apply):

(a) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); OR

(b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; OR

X (c) Before the mailing of a first Office action on the merits; OR

(d) Before the mailing of a first Office action after the filing of a request for
continued examination under § 1.114.
(2) This information disclosure statement is filed before the mailing date of a final
action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes
prosecution in the application, and (check only one):
(a) Is accompanied by the fee set forth in § 1.17(p); OR
(b) Each item of information contained in the information disclosure statement was
first cited in any communication from a foreign patent office in a counterpart foreign application
not more than three months prior to the filing of the information disclosure statement; OR
(c) No item of information contained in the information disclosure statement was
cited in a communication from a foreign patent office in a counterpart foreign application, and to
the knowledge of the person signing the certification after making reasonable inquiry, no item of
information contained in the information disclosure statement was known to any individual
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cited in a communication from a foreign patent office in a counterpart foreign application, and to
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information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant(s) does/do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Please charge any necessary fee or credit any overpayment in connection with this Information Disclosure Statement to Deposit Account No. 13-0480 (please reference 24168067.5).

Respectfully submitted,

James H. Ortega

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PTO/SB/08A (02-03)

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Complet if Known Substitute for form 1449/PTO Application Number 10/620,827 Filing Date 7/16/2003 INFORMATION DISCLOSURE First Named Inventor McClintock STATEMENT BY APPLICANT Art Unit Not yet assigned (Use as many sheets as necessary) Examiner Name Not yet assigned 24168067.5 Attorney Docket Number Sheet 1

Examiner	Cite	Decument Number		Name of Patentee or	Dagge Columns Lines Where
Initials*	No.1	Document Number Publication Date MM-DD-YYYY Number-Kind Code ^{2 (f known)}	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		^{US-} 6,173,267	01/09/2001	Cairns	
		^{US-} 6,129,276	10/10/2000	Jelen et al.	
		^{US-} 2001/0053981	12/20/2001	Wyssen	
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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